

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

JOSEPH ALEXANDER LASKY

INTERNATIONAL APPLICATION NO: PCT/IB03/02794

FILED: 17 JUNE 2003

U.S. APPLICATION NO: 10/518,988

35 USC §371 DATE:

FOR: 4-(4-METHYLPIPERAZIN-1-YLMETHYL)-N-[4-METHYL-3-(4-PYRIDIN-3-YL)PYRIMIDIN-2-YLAMINO)PHENYL]-BENZAMIDE FOF
TREATING PULMONARY FIBROSIS

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PO Box 1450
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RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

This second petition for revival of an application unintentionally abandoned under 37 CFR 1.137(b) is in reply to the Decision dated October 17, 2006 in response to Applicant's Petition for Revival of an Application of Patent Abandonment Unintentionally under 37 CFR 1.137(b) dated July 25, 2006.

As stated in the Decision dated October 17, 2006, and under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the

required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

According to the Decision dated October 17, 2006, Applicants have not provided the following:

- (1) the required reply unless previously filed,
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional

With regard to item (1), Applicants herein provide the required "Response to Notification of Missing Requirements under 35 U.S.C. 371", please see attached form which contains a fully executed Declaration and Power of Attorney, along with the original "Notification of Missing Requirements Under 35 U.S.C. 371". Applicants acknowledge that in the Decision dated October 17, 2006 that a sequence listing is not required.

With respect to item (3), please refer to the following points:

1. This petition is filed diligently upon discovery of the unintentional abandonment. The abandonment was discovered July 25, 2006. Upon discovery, Oona A. Jackson prepared an "Applicant's Petition for Revival of an Application of Patent Abandonment Unintentionally under 37 CFR 1.137(b) dated July 25, 2006" containing the required fully executed Declaration and Power of Attorney.
2. This application became unintentionally abandoned because there is no record that Novartis Corporation received in the mail the "Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US)" dated November 21, 2005. Upon realizing this error, Oona A. Jackson downloaded the Notification from the private PAIR system and started to prepare the Petition to Revive.
3. Applicants attach our Response to Notification of Missing Requirements under 35 USC 371.

With regard to item (2), applicant has provided the required petition fee. However, the Commissioner is hereby authorized to charge the fee required under 37 CFR 1.17(m) of \$1,500 to Novartis Corporation Deposit Account No. 19-0134 and any other fees necessary to revive this application.

Respectfully submitted,



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Date: November 7, 2006

Attachment